

In the City Council  
City of Lodi  
Lodi, California

ORDINANCE NO. 518

AN ORDINANCE ~~OF~~ THE CITY ~~OF~~ LODI PROHIBITING THE CONSTRUCTION ~~OF~~ A HALL ~~OF~~ JUSTICE, INCLUDING COURTROOM FACILITIES FOR THE JUSTICE COURT, LODI JUDICIAL DISTRICT, OR JAIL FACILITIES, OR POLICE DEPARTMENT FACILITIES IN THE AREA BOUNDED ON THE NORTH BY ELM STREET, ON THE WEST BY PLEASANT STREET, ON THE EAST BY CHURCH STREET AND ON THE SOUTH BY PINE STREET IN SAID CITY.

The City Council of the City of Lodi does ordain as follows:

Section 1. There shall not be constructed in the City of Lodi a Hall of Justice, including courtroom facilities for the Justice Court, Lodi Judicial District, or jail facilities, or police department facilities in the area bounded on the north by Elm Street, on the West by Pleasant Street, on the east by Church Street, and on the south by Pine Street in said city.

Section 2. As a part of this ordinance, the City Council finds it pertinent and desirable to include the following comments as relating to the purpose and intent of the ordinance:

After study and public consideration of the needs of the City, the City Council in 1950 determined the necessity of constructing a Hall of Justice, to contain consolidated quarters for the Police Department, the jail and the District court system.

A site on City-owned property immediately east of the City Hall was selected as appropriate and on September 3, 1952, a contract was publicly entered into by the City with a firm of architects to prepare plans and specifications for such a building on this site. These plans and specifications were approved and paid for on February 18, 1953.

On August 23, 1954, prior to the commencement of construction, a notice of intention to circulate an initiative petition was published by certain persons in the local press. Said petition would have proposed the adoption by initiative election of an ordinance expressly prohibiting the construction of the proposed building, as delineated in the language of Section 1 hereof.


In the view of the City Council then in office, there existed a question as to the legality of such an initiative proposal, owing to the time having elapsed between the legislative decision of 1952 and the filing of notice. However, in order to avoid the unnecessary expense of a special election and extensive litigation, the City Council on its own motion placed the measure, exactly as proposed, on the ballot as a part of the gubernatorial election of November 2, 1954. It was publicly stated by the City Council at the time of making this decision that the reasons therefor were as stated herein, and that the results of the election would constitute an advisory vote to the City Council.

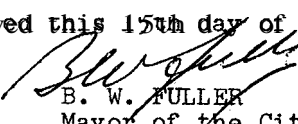
At the election of November 2, 1954, the proposal to pass such an ordinance was approved by a vote of 2,819 to 2,420. The City Council in adopting this ordinance, accordingly, does so in recognition of an advisory action by a majority of those persons voting on the measure, and wishes to make clear that this said ordinance is not in fact an initiative ordinance as defined by the laws of the State of California.

Section 3. This ordinance shall be published one time in the "Lodi News-Sentinel" and shall be in full force and take effect thirty days from and after its passage and approval.

Approved this 15th day of December, 1954.

ATTEST

  
HENRY A. GLAVES, JR.  
City Clerk

  
B. W. FULLER  
Mayor of the City of Lodi

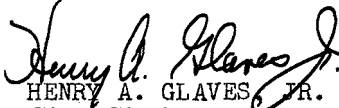
I, HENRY A. GLAVES, JR., City Clerk of the City of Lodi and ex officio Clerk of the City Council of said city do hereby certify that the foregoing Ordinance No. 518 was introduced in regular meeting of said City Council held December 1, 1954, and was thereafter passed, adopted and ordered to print at the regular meeting of the City Council held December 15, 1954, by the following vote:

AYES: Councilmen - Hughes, Mitchell, Richey,  
Robinson and **Fuller**

NOES: Councilmen - None

ABSENT: Councilmen - None

I further certify that Ordinance No. 518 was approved and signed by the Mayor on the date of its passage and that the same has been published pursuant to law.

  
HENRY A. GLAVES, JR.  
City Clerk

Date: December , 1954.